IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.37827 of 2008
HASIM @ MD.HASIM, S/o- Md. Ismail,
Resident of Village- Rani Patra, P.S.- Mufassil (Rani Patra)
Distt.- Purnia :------ Petitioner.
Versus
STATE OF BIHAR:-------Opposite Party
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For the Petitioner : Mr. Raj Kumar, Advocate.
For the Opposite Party : Mr. Nitya Nand Tiwari, A.P.P.

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3. 22.12.2008. Heard learned counsel for the petitioner and the State.

Petitioner is an accused in a case under Section 498A and other allied Sections of the Penal Code and happens to be the husband of the informant. It is submitted on his behalf that he is ready and willing to continue the matrimonial relationship with the informant and for that purpose he shall file a written undertaking on affidavit in the court below. No sooner, such written undertaking on affidavit is filed in the court below, petitioner, namely, Hasim @ Md. Hasim be released on provisional bail on furnishing bail bond of Rs. 5000/- (Five thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M., Purnia in connection with Sadar (Mufassil) P.S.Case No. 176 of 2008, G.R.No. 1050 of 2008 and thereafter informant should be noticed and once she appears in the court below, petitioner in presence of the court shall make all possible endeavour to resolve the matrimonial dispute between him and her (the informant). In the event, matrimonial dispute is resolved or the informant is back in the matrimonial home or she is found to be unreasonable, provisional bail allowed to the petitioner be confirmed otherwise the court below shall pass appropriate orders in accordance with law considering the reasonableness of the stand of the parties. In the event,

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provisional bail of the petitioner is confirmed on account of unreasonableness of the informant then the court below shall fix amount of maintenance for the petitioner so that she (the informant) may have a separate residence.

This application is, accordingly, disposed of.

Let this order be communicated to the court below through fax on payment of usual charges by the petitioner.

(V.N.Sinha,J.)

P.K.P.

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